

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

May 6, 2004

TO: Internal File

FROM: Stephen J. Demczak, Environmental Scientist III/Engineering, Team Lead

RE: Update to Volume 10, PacifiCorp, Deer Creek Mine, C/015/018, Task ID #1914

### **SUMMARY:**

The permittee has submitted an amendment to update Volume 10, Deer Creek waste rock site. Besides updating Volume 10, the permittee has submitted information addressing the asphaltting of the primary road leading to the Waste Rock Site.

### **TECHNICAL ANALYSIS:**

## GENERAL CONTENTS

### IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

#### **Analysis:**

No changes.

#### **Findings:**

The permittee has met the minimum requirements of this section.

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## **VIOLATION INFORMATION**

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

### **Analysis:**

No changes.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **RIGHT OF ENTRY**

Regulatory Reference: 30 CFR 778.15; R645-301-114

### **Analysis:**

No changes.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **LEGAL DESCRIPTION AND STATUS OF UNSUITABILITY CLAIMS**

Regulatory Reference: 30 CFR 778.16; 30 CFR 779.12(a); 30 CFR 779.24(a)(b)(c); R645-300-121.120; R645-301-112.800; R645-300-141; R645-301-115.

### **Analysis:**

The permittee has updated Chapter 2 to reflect the correct disturbed area of the waste rock site as 31.92 acres. This is now the same number used in Volume 1 in the MRP.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **PERMIT TERM**

Regulatory References: 30 CFR 778.17; R645-301-116.

### **Analysis:**

No changes.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **PUBLIC NOTICE AND COMMENT**

Regulatory References: 30 CFR 778.21; 30 CFR 773.13; R645-300-120; R645-301-117.200.

### **Analysis:**

No changes.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **FILING FEE**

Regulatory Reference: 30 CFR 777.17; R645-301-118.

### **Analysis:**

No changes.

### **Findings:**

The permittee has met the minimum requirements of this section.

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## PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

### Analysis:

Changes to Volume 10 have been made. These changes meet the requirements for format and content.

### Findings:

The permittee has met the minimum requirements of this section.

## REPORTING OF TECHNICAL DATA

Regulatory Reference: 30 CFR 777.13; R645-301-130.

### Analysis:

All of the technical designs have been submitted. New primary road designs are submitted for the road to the waste rock site.

### Findings:

The permittee has met the minimum requirements of this section.

## MAPS AND PLANS

Regulatory Reference: 30 CFR 777.14; R645-301-140.

### Analysis:

The permittee has updated the "Deer Creek Coal Mine Waste Rock Storage Facility Phase I" map showing ASCA areas with and without silt fences along the road. Exhibit I has been updated showing 3-inch roto-mill asphalt. These maps and Exhibits are P.E. certified.

**Findings:**

The permittee has met the minimum requirements of this section.

**COMPLETENESS**

Regulatory Reference: 30 CFR 777.15; R645-301-150.

**Analysis:**

This amendment has been determined complete for review.

**Findings:**

The permittee has met the minimum requirements of this section.

**OPERATION PLAN**

**MINING OPERATIONS AND FACILITIES**

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

**Analysis:**

No changes.

**Findings:**

The permittee has met the minimum requirements of this section.

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## **ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES**

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

### **Analysis:**

#### **Road Classification System**

The permittee has stated in Chapter 2 in the Mining and Reclamation Plan that the waste rock road as a primary road. The permittee has submitted an updated map and a typical cross-section of the road. These are P.E. certified.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **RECLAMATION PLAN**

## **ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES**

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

### **Analysis:**

#### **Reclamation**

This road will be reclaimed as stated on Page 3-3. The roto-milled material will be taken to the waste rock site upon reclamation of the Deer Creek Waste Rock Road.

### **Findings:**

The permittee has met the minimum requirements of this section.

## **BONDING AND INSURANCE REQUIREMENTS**

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

### **Analysis:**

#### **Determination of Bond Amount**

The Permittee added the cost for removing the asphalt from the waste rock road. The Division reviewed those costs and found them to be adequate.

The current bond amount is \$3,000,000. The reclamation cost estimate for the Deer Creek Mine is \$2,469,000. Since the bond amount exceeds the reclamation cost estimate no change to the bond amount is needed.

### **Findings:**

The information submitted in the amendment is considered adequate to meet the minimum requirements of this section of the regulations.

### **RECOMMENDATIONS:**

The permittee has met the minimum requirements. This amendment should be approved.